

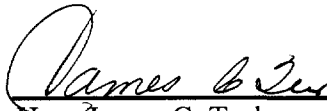
JULIA C. DUDLEY, CLERK
BY: *S. C. [Signature]*
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Following the issuance of the Report and Recommendation, the parties were entitled to note any objections within fourteen days. Fed. R. Civ. P. 72(b). The Court received no such objections. As a result, and having reviewed the Magistrate Judge's Report and Recommendation and pertinent portions of the record, the Court agrees with the Magistrate Judge's recommendation. Accordingly, it is hereby **ADJUDGED** and **ORDERED** that the Magistrate Judge's Report and Recommendation is **ADOPTED**, the Commissioner's and

Cummings' Cross-Motions for Summary Judgment (ECF No. 12, 19) are **DENIED**, and the case is **REMANDED**.

The Clerk of Court is directed to strike the case from the Court's active docket. The Clerk is further directed to send copies of this Order to counsel of record for all parties.

ENTER: This 14th day of July, 2011.



Hon. James C. Turk
Senior United States District Judge